

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Anthony Gagliani, Individually and as
Personal Representative of the
Estate of Stephen Walter Gagliani,

Plaintiff,

v.

Sheriff of Lexington County for Lexington
County Sheriff's Department; Deputy
Brandon Kinder; Deputy Jason Wilkes; and
State Constable Lawrence Markey,

Defendants.

Civil Action No.: 3:20-cv-3737-CMC

ORDER APPROVING SETTLEMENT

After a hearing on the record, the court approves the Settlement described below between Anthony Gagliani, Individually and as Personal Representative of the Estate of Stephen Walter Gagliani and all Defendants. The court finds as follows:

1. The Amended Complaint sets forth in detail the alleged acts and omissions of Defendants which are the basis of the claims.
2. After five days of trial, Plaintiff and Defendants have arrived at an agreed upon settlement for Plaintiff's claims against Defendants as outlined in the above-captioned lawsuit. The agreed settlement and compromise contemplate the release, ending and termination of all claims and actions based on causes available to Anthony Gagliani, Individually and as Personal Representative of the Estate of Stephen Walter Gagliani ("Decedent"), or any person, in any way arising, asserted, or brought under or by virtue of any South Carolina or federal statute, or by

common law against Defendants, based on or deriving from the facts alleged in the Amended Complaint.

3. The total amount to be paid to Plaintiff by Defendants is the sum of \$1,000,000.00.

4. Plaintiff Anthony Gagliani and Decedent's mother, Joan Norwood, testified that they believe the settlement to be a fair and reasonable settlement of disputed claims. Plaintiff's counsel agreed.

5. Each party will bear their own attorneys' fees and costs.

6. Plaintiff has agreed to dismiss with prejudice all claims asserted in the lawsuit against the named Defendants in this matter.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that this court finds the settlement fair and reasonable and approves the settlement as described herein.

IT IS ORDERED that this action is hereby dismissed without costs and without prejudice. If settlement is not consummated within sixty (60) days, any party may petition the court to reopen this action and restore it to the calendar. Rule 60(b)(6), Fed.R.Civ.P. In the alternative, to the extent permitted by law, either party may within sixty (60) days petition the court to enforce the settlement. This settlement applies to all claims, including those addressed by prior order, and no judgment shall be entered. Upon consummation of settlement, the parties shall file a stipulation of dismissal with prejudice.

IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
December 14, 2022